

**Enrolled Minutes of the Seventy-Fifth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, November 24, 2014**

Study Session. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, November 24, 2014 at 6:40 p.m. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Konnie Kuiper and Dan Vassar were present. There remained a vacancy in the fourth ward seat owing to the death of Councilor Adams. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council received a briefing from the Redevelopment Director regarding a pending application for tax abatement for the property located at 9850 Indianapolis Boulevard, Highland, the site of the former Abrahamson automobile dealership. It was noted that Abrahamson as owner of the property was currently the subject of several code enforcement proceedings. It was further noted that Mr. Abrahamson was suing the Town regarding this and related municipal enforcement or regulatory matters. It was suggested that no abatement or other economic development incentive could be considered for the property without these matters being settled in some fashion.
3. The Town Council discussed its continuing desire to amend the Compensation and Benefits Ordinance to eliminate the need for the Town Council to act and approve any overtime for FLSA Exempt Salaried Supervisory Personnel, but rather vest this in the department head. Upon the inquiry of the Clerk-Treasurer regarding the appropriateness of department heads approving their own overtime, it was suggested that the President or Chairman of the relevant board of jurisdiction could be the approving authority for any undertaken by a department head.
4. The Town Council, the Clerk-Treasurer, the IT Consultant Contractor and the Town Attorney discussed a provision in his professional services agreement that provided that the IT Consultant assumed ownership of any computers that were being retired after the three year period. It was noted that the agreement could not operate contrary to the provisions of Indiana law that provide an express procedural requirement for the disposal of any municipal personal property.
5. It was noted that a caucus of the precinct committee of the Democratic Party was called for Tuesday, November 25 in order to select a councilor pro-tempore to fill the unexpired term for Councilor Dennis Adams, late of Highland.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, November 24, 2014 at 7:01 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Council President Dan Vassar presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with the Town Council President reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark A. Herak, Konnie Kuiper and Dan Vassar. There remained a vacancy in the fourth ward seat owing to the death of Councilor Adams. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

Also Present: Ed Dabrowski, Contract IT Coordinator; and Randy Bowman, Assistant Inspector for Electrical were also present.

Minutes of the Previous Meeting:

The minutes of the regular meeting of November 10, 2014 were approved by general consent.

COMMUNICATIONS:

1. The Clerk-Treasurer read aloud a letter from Laurel Roach, Girl Scout Troop Adult Leader, requesting the use of the Public Works Facility as a site for Girl Scout Cookie distribution on February 7, 2015 from 7:00 a.m. until Noon.

Councilor Kuiper moved to approve and grant the request. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The request was granted.

Unfinished Business and General Orders:

1. **Works Board Order No. 2014-33:** An Order Approving and Authorizing the Metropolitan Police Chief to enter into a Purchase Agreement with Miner Electronics Corporation, of 500-45th Avenue, Highland, Indiana to purchase supplies and equipment, pursuant to Section 3.05 of the Highland Municipal Code and I.C. 5-22. *(Telephone audio recorder digital)*

Councilor Kuiper moved the passage and adoption of Works Board Order No. 2014-33. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2014-33**

An Order Approving and Authorizing the Metropolitan Police Chief to enter into a Purchase Agreement with Miner Electronics Corporation, of 500 - 45th Avenue, Highland, Indiana to purchase supplies and equipment, pursuant to Section 3.05 of the Highland Municipal Code and I.C. 5-22.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00.

Whereas, The Metropolitan Police Chief has identified Miner Electronics Corporation of Highland, Indiana to be a desirable source vendor for the purchase of the telephone recording system and accessories at a price of \$17,111.25.

Whereas, The price for the purchase exceeds \$10,000.00 and, pursuant to Section 3.05.040(C) as well as Section 3.05.030(B)(1)(b) of the Highland Municipal Code requires the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050(D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.05.050(8)(2) of the Highland Municipal Code, expected that the purchase would not be in excess of \$50,000.00 qualifying for treatment as a small purchase, and therefore, determined to purchase in the open market in accordance with Section 3.05.050(8)(2) of the Highland Municipal Code; and

Whereas, The purchase of the telephone recording system and accessories will be supported by the duly approved Municipal Capital Cumulative Fund (MCCD);

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from Miner Electronics Corporation, of Highland, Indiana as a desirable sources vendor for the purchase of the telephone recording system and accessories at a total purchase price of **\$17,111.25**, pursuant to IC 5-22 and Section 3.05.050(G)(2) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines that the purchase represents a duly executed small purchase pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 24th day of November 2014 having passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL OF THE
TOWN OF HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

- 2. Works Board Order No. 2014-34:** An Order Approving and Authorizing the Metropolitan Police Chief to enter into a Purchase Agreement with George O'Day's Inc., of 19 E. 143rd Street, Hammond, Indiana to purchase duty supplies and equipment, pursuant to Section 3.05 of the Highland Municipal Code and I.C. 5-22. (*Purchase duty lockers for the new Police Station.*)

Councilor Zemen moved the passage and adoption of Works Board Order No. 2014-34. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2014-34**

An Order Approving and Authorizing the Metropolitan Police Chief to enter into a Purchase Agreement with George O'Day's Inc., of 19 E. 143'd Street, Hammond, Indiana to purchase duty supplies and equipment, pursuant to I.C. 5-22.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department; and

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00.

Whereas, The Metropolitan Police Chief has identified George O'Day's Inc. of Hammond, Indiana to be a desirable source vendor for the purchase of the duty lockers and accessories at a price of \$22,624.98.

Whereas, The price for the purchase exceeds \$10,000.00 and, pursuant to Section 3.05.040(C) as well as Section 3.05.030(B)(1)(b) of the Highland Municipal Code requires the express approval of the purchasing agency; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1)(b) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department; and

Whereas The Metropolitan Police Chief, pursuant to Section 3.05.050(D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department; and

Whereas, The Purchasing Agent, pursuant to Section 3.05.050(8)(2) of the Highland Municipal Code, expected that the purchase would not be in excess of \$50,000.00, qualifying for treatment as a small purchase, and therefore, determined to purchase in the open market in accordance with Section 3.05.050(8)(2) of the Highland Municipal Code; and

Whereas, The purchase of the duty lockers and accessories will be supported by the duly approved appropriation in the Metropolitan Police Department of the Corporation General Fund; and

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from George O'Day's, Inc. of Hammond, Indiana as a desirable sources vendor for the purchase of the duty lockers and accessories at a total purchase price of **\$22,624.98**, pursuant to IC 5-22 and Section 3.05.050(G)(2) of the Highland Municipal Code;

Section 2. That the Works Board hereby finds and determines that the purchase represents a duly executed small purchase pursuant to IC 5-22 and Section 3.05.060 (G)(2) of the Highland Municipal Code;

Section 3. That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Be It So Ordered.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 24th day of November 2014 having passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL OF THE
TOWN OF HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/ICPFIM/CMO
Clerk-Treasurer

3. **Works Board Order No. 2014-35:** An Order Approving and Authorizing the Entry into Service Agreements with COMCAST for Certain Telecommunications Internet and VOIP and Equipment Services for the Highland Police Department, pursuant to Chapter 3.05 of the Highland Municipal Code.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2014-35. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The order was adopted.

**Town of Highland
Board of Works
Order of the Works Board 2014-35**

An Order Approving and Authorizing the Entry into Service Agreements with COMCAST for Certain Telecommunications Internet and VOIP and Equipment Services for the Highland Police Department, pursuant to Chapter 3.05 of the Highland Municipal Code.

Whereas, The IT Consultant (Contract), CBL Consulting, Inc., has recommended a change in service for the Highland Police Department (Agency) Facility located at 3333 Ridge and late 3315 Ridge Road for upgrade of services associated with voice and data transmission over internet; and

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A) and (B) of the Municipal Code serves as purchasing agency for the executive departments of the municipality, and the utilities when costs are to be shared; and

Whereas, The amount exceeds ten thousand (\$10,000) and is for a term of greater than one year, pursuant to Section 3.05.040 (C) of the Municipal Code, requires the express approval of the purchasing agency; and

Whereas, The Highland Municipal Code Section 3.05.090 provides that the purchase of services may in a manner that the purchasing agency determines to be reasonable and appropriate; and

Whereas, The payments will be supported by an appropriation in the Information and Communications Technology Fund; and

Whereas, The Town Council now desires to approve and authorize the proper officer to enter a service agreement pursuant to the terms stated herein.

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality as follows:

Section 1. That the COMCAST Business Class Service Order Agreement for voice over, fax and data over internet to be provided at the Metropolitan Police Department located at 3333 Ridge Road, lower level, later to be located at 3315 Ridge Road, for a single combined installation and activation fee of \$756.95, a copy of the agreement being attached as an exhibit and made a part of this order, for a term of 36 months, consideration to be for fees in the monthly amount of \$922.90, for a total amount over the term of the agreement of **\$33,224.40** is hereby authorized and approved in all respects;

Section 2. That the COMCAST Business "VoiceEdge" Services Agreement providing installation and use of equipment to support the services in the Business Class Service Order Agreement, with the equipment to be installed at the Metropolitan Police Department, for a single combined installation and activation fees set forth above is hereby authorized approved in all respects;

Section 3. That the purchase agency believes the fees and charges incurred under these agreements are reasonable and appropriate, and the term of thirty-six months acceptable

Section 4. That the Town Council President or in his absence, the Town Clerk-Treasurer is authorized and directed to execute the agreement and any additional documents by his signature.

Be it So Ordered.

DULY, PASSED, ADOPTED and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Board of Works, this 24th day of November 2014 having passed by a vote of 4 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA**

Dan Vassar, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-16-4-1;IC 36-5-6-5)

- Proposed Ordinance No. 1572: An Ordinance To Amend The Compensation, Benefits And Personnel Program Of The Municipality, To Be Known As The Compensation And Benefits**

Ordinance Particularly Modifying the Provisions regarding Military Leave, Pursuant To IC 36-1-3 And Other Relevant Statutes.

Councilor Herak introduced and filed the proposed Ordinance. There was no further action.

5. Authorize the proper officer to publish legal notice for a public hearing on proposed additional appropriations in the Parks and Recreation Special Operating (General) Fund in the amount of \$12,000.00 and in the Gaming Revenue Sharing Fund, in the amount of \$57,468.00.

Councilor Herak moved to authorize the publication of notice of a hearing on proposed additional appropriations as requested. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The hearing and publication were approved.

6. Authorization of a Special Meeting for December 1, 2014 at 7:00 p.m. in order to take up the matter of changes to the wages and salaries of the Records Clerks.

With unanimous consent, the Town Council determined that the above item of business would not be taken up.

**Comments from the Town Council Members
(For the Good of the Order)**

- **Councilor Bernie Zemen:** • *Liaison to the Park and Recreation Board • Chamber of Commerce Co-Liaison.*

Councilor Zemen commended the Police Department for its work on a recent domestic dispute that led to a brief hostage taking. The matter was resolved peacefully.

Councilor Zemen recognized the Parks and Recreation Superintendent who reported on the annual Pumpkin Plod running race, which had 760 persons enrolled.

- **Councilor Mark Herak:** • *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Board of Waterworks Directors.*

Councilor Herak conveyed Thanksgiving greetings to all. He further expressed sympathies to the family of John Oakley, who became late of Highland. It was noted he was a former Town Councilor and Town Council President with whom Councilor Herak had served. He commended Mr. Oakley's contributions to the town.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison • Town Board of Metropolitan Police Commissioners, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper had no comments.

- **Council President Dan Vassar:** • *Municipal Executive • Redevelopment Department Liaison.*

The Council President expressed to all a Happy Thanksgiving and shared in the condolences to the John Oakley family.

Comments from Visitors or Public:

1. Charles Haber, _____, Highland, present as a correspondent for The TIMES, sought clarification regarding the digital recorder ordered for the Metropolitan Police Department and whether its utility was current or needed for the new building. It was noted that the recorder would be immediately placed in service.

Payment of Accounts Payable Vouchers and Payroll Dockets. There being no further comments from the public or visitors, Councilor Zemen moved to allow the vendor accounts payable vouchers as filed on the pending accounts payable docket, covering the period November 11, 2014 through November 24, 2014. Councilor Kuiper seconded. Upon a roll call vote, there were four affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors were allowed, the payroll voucher docket was ratified, other payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$197,694.30; Motor Vehicle Highway and Street (MVH) Fund, \$ 16,846.09; Local Road and Street (LRS) Fund, \$970.89; Law Enforcement Cont. Education and Supply Fund, \$2,025.26; Capital Projects Retainage Agency Fund, \$5,190.80; Gasoline Agency Fund, \$24,297.00; Information and Communications Technology Fund, \$11,795.21; Solid Waste District Grant Fund, \$1,506.59; Cumulative Capital Improvement Fund, \$3,180.55; Municipal Cumulative Capital Development Fund, \$15,335.50; Traffic Violations Fund, \$8,833.50; Municipal Cumulative Street Fund, \$16,809.00; Gaming Revenue Sharing Fund, 10,584.86; Total: \$315,069.55.

Adjournment. Councilor Herak moved that the plenary meeting be adjourned. Councilor Zemen seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, November 24, 2014 was adjourned at 7:22 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer